

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION**

ARTEZ UPCHURCH, )  
 )  
Petitioner, )  
 )  
v. ) No. 2:16-CV-45 CEJ  
 )  
JAMES HURLEY, )  
 )  
Respondent, )

**MEMORANDUM AND ORDER**

This matter is before the Court on the petitioner's amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2245. In the petition, petitioner seeks to vacate two separate state court judgments, *Missouri v. Upchurch*, No. 1022-CR04963-01 (City of St. Louis), and *Missouri v. Upchurch*, No. 1222-CR04207-01 (City of St. Louis).

Rule 2(e) of the Rules Governing § 2254 Cases requires that a separate petition be filed for each judgment being challenged in a habeas corpus proceeding. 28 U.S.C. § 2254 Rule 2(e). Thus, petitioner may not challenge two judgments in a single petition. Before proceeding with this case, petitioner must file an amended habeas corpus petition challenging only one state court judgment. If petitioner wishes to challenge a second judgment, he must file a separate petition seeking a writ of habeas corpus with respect to that second judgment.

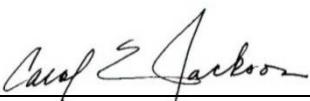
Accordingly,

**IT IS HEREBY ORDERED** that the Clerk is directed to send petitioner a § 2254 form for use in amending his petition.

**IT IS FURTHER ORDERED** that petitioner shall have until **December 7, 2016**, to return the amended petition to the Court.

**IT IS FURTHER ORDERED** that petitioner's failure to comply with this Order may result in dismissal of this action.

Dated this 16th day of November, 2016.



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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE